

**REMARKS**

Claims 1-23 are pending in the application. Claims 7-16 are allowed. Claims 1, 6, 17, 18, and 23 were rejected. Claims 2-5, and 19-22 were objected to. Accordingly, claims 1-23 remain active in the application. In view of the following remarks, reconsideration of the application is respectfully requested.

**Specification**

The specification has been amended in accordance with the Examiner's request that the abstract be presented in a single paragraph of 150 words or less. No new matter has been added to the specification.

**Claim Rejections – 35 U.S.C. § 102**

Claims 1, 6, 17-18, and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by the admitted prior art in Figure 2 of the instant application. Applicant respectfully traverses this rejection.

Regarding claim 1, the Examiner states that the limitation "determining, based on the examination of the header fields, a second *processor* responsible for processing that egress packet, the second *processor* selected from a plurality of forwarding processors in the network access server; and passing the egress packet to the second *processor*" is satisfied by the Network Interface 60. The network interface 60, however, is not a processor as is required by claim 1. The network interface 60 does no processing of packets, but rather it acts to simply hold the packets in a queue. (lines 1-3, page 10). Claim 1 recites a second processor that processes egress packets and thus the network interface 60 fails to meet this limitation.

Furthermore, claim 1 recites that the second processor is selected from a *plurality of forwarding processors*. As the network interface 60 is not a processor, and there is only a single forwarding engine, figure 2 fails to satisfy the limitation of a processor selected from a plurality of forwarding processors.

Claim 6 recites the second processor passing the egress packet to a switching fabric. The examiner states that the network interface 60 also functions as a switching fabric. The network interface acts to simply hold the packets in a queue whereas a switching fabric switches packets between a number of ingress and egress ports. As can be seen from figure 2, the network interface 60 only has one input and one output. The admitted prior art therefore does not contain all of the elements and limitations of claim 6.

Claim 17 has limitations similar to those of claim 1. The network interface 60 cannot satisfy the limitation of a second processor responsible for processing packets, nor can it satisfy the requirement of being selected from a plurality of processors. The network interface 60 thus does not contain all of the elements and limitations of claim 17.

Claim 18 recites preparing an ingress packet for transport across a data network using the second processor. The network interface 60 cannot satisfy the limitation of a second processor that prepares ingress packets. The network interface 60 does no processing of packets, but rather it simply acts to hold the packets in a queue. (lines 1-3, page 10). Claim 18 recites a second processor that prepares ingress packets and so the network interface 60 fails to meet this limitation.

#### **Allowable Subject Matter**

Applicant acknowledges the indication of allowable subject matter in claim 7-16, 2-5, and 19-22.


Claims 2-5, and 19-22 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent for including all of the limitations of the base claim and any intervening claims. Based on the argument presented above for the allowability of claims 1 and 17, from which claim groups 2-5 and 19-22 respectively depend, Applicant has elected not to rewrite these allowable claims at the present time.

**Conclusion**

For the foregoing reasons, reconsideration and allowance of claims 1-23 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

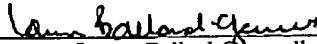
MARGER JOHNSON & McCOLLOM, P.C.

  
James E. Harris

Reg. No. 40,013

MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
Portland, OR 97205  
503-222-3613  
Customer No. 20575

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number 1-703-872-9306, on August 13, 2004.

  
Lauren Ballard-Gemmell